

AO 91 (Rev. 02/09) Criminal Complaint

United States District Court

for the
Western District of New York



United States of America

v.

Case No. 21-mj- **5030**

MICHAEL MESKO

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Between on or about October 8, 2020, and on or about January 9, 2021, in the Western District of New York, the defendant, MICHAEL MESKO,

(1) did knowingly employ, and attempt to employ, use, persuade, induce, entice and coerce Victim 1, a person known to the government who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which depictions were produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, and which depictions were transported in and affecting interstate and foreign commerce, including by computer, in violation of 18 U.S.C. §§ 2251(a) and (e); and

(2) knowingly used facilities and means of interstate and foreign commerce, that is, a cellular telephone and the internet, to knowingly persuade, induce, entice, and coerce, and attempt to persuade, induce, entice, and coerce Victim 1, a person known to the government who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense, in violation of 18 U.S.C. § 2422(b).

This Criminal Complaint is based on the facts in the attached affidavit.

Complainant's signature

MICHAEL HOCKWATER
TASK FORCE OFFICER
FEDERAL BUREAU OF INVESTIGATION

Printed name and title

Sworn to and signed telephonically.

Date: February 16, 2021

Judge's signature

City and State: Buffalo, New York

HONORABLE MICHAEL J. ROEMER
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

I. INTRODUCTION

I, MICHAEL HOCKWATER, after being duly sworn, depose and state as follows:

1. I am a Police Detective with the Town of Cheektowaga, New York Police Department. I have been a Police Officer since August of 1989. I am currently assigned as a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI), Buffalo Field Office, Child Exploitation Task Force (CETF), Innocent Images National Initiative, which targets individuals involved in the on line sexual exploitation of children. I have been a TFO since June 14, 2010. As part of these duties, I have become involved in the investigation of suspected violations of Title 18, United States Code, Sections 2251, 2252, 2252A, 2422, and 2423. I have also participated in various FBI mandated and volunteer training involving federal child sexual abuse material (CSAM) laws in which computers or smartphones/devices are used for engaging in such violations of Federal law.

2. This affidavit is made in support of a criminal complaint charging MICHAEL MESKO (MESKO), date of birth XX/XX/1970, with violations of Title 18, United States Code, Sections 2251(a) [Production of Child Sexual Abuse Material] and 2422(b) [Enticement of a Minor].

3. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement officers, other personnel specially trained in the seizure and analysis of computers and electronic media, and on my experience and training. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that MESKO committed violations of Title 18, United States Code, Sections 2251(a) [Production of Child Sexual Abuse Material] and 2422(b) [Enticement of a Minor].

II. PROBABLE CAUSE

4. The investigation to date has shown that there is probable cause to believe that MESKO used social media applications including a TextNow account with number 18145946146, to knowingly engage in a sexual conversation with a 17 year-old intellectually disabled female (hereinafter, Victim 1) wherein **MESKO** requested and received nude images that constituted child sexual abuse material (CSAM, formerly child pornography) from Victim 1 and enticed Victim 1 into sexual contact.

5. MESKO was arrested by the North Tonawanda Police Department (NTPD) on February 4, 2021, after it was discovered that he had been engaging in repeated sexual acts with Victim 1. During the course of their investigation, NTPD determined that MESKO and Victim 1 had communicated on Snapchat and TextNow. NTPD conducted a search of Victim 1's iPad and discovered conversations between MESKO and Victim 1 on TextNow and Snapchat dating back to October 8, 2020. MESKO was using TextNow number 18145946146.

6. On February 3, 2021, NTPD conducted a forensic search of Victim 1's iPad and recovered the TextNow conversation between MESKO and Victim 1.

7. On February 3 and February 4, 2021, NTPD responded to MESKO's residence and interviewed him. During the interview, MESKO admitted to NTPD that he had used TextNow account number 18145946146 and that he consensual sex with Victim 1 on numerous occasions. MESKO told NTPD that he was aware that Victim 1 was 17 years old. MESKO told NTPD that he was a nurse and was aware of Victim 1's medical diagnosis including that she has a learning disability. MESKO told NTPD that he was aware that Victim 1 is a special needs patient, suffers from ADD and ADHD and has a difficult time with school. Furthermore, MESKO told NTPD that Victim 1 suffers from depression and anxiety and takes medications for both. MESKO stated that he randomly met Victim 1 on Snapchat a few months ago. Since they met, they have had oral, anal and vaginal intercourse in his car. MESKO would usually park his car near her house. MESKO stated that Victim 1 is aware of the police investigation and that her biggest fear is him going to jail.

8. On February 5, 2021, I was contacted by the Cheektowaga Police Department (CPD) who were summoned to MESKO's residence by his wife (hereinafter Witness 1) who had just learned of MESKO's arrest and wanted to turn items over to the police on which she found evidence related to this investigation. I responded to MESKO's residence and interviewed Witness 1 who turned over electronic devices as well as a handgun she found in a lock box in MESKO's bedroom. Witness 1 stated that MESKO had called her asking for bail money and told her that he did have consensual sex with a female who was of legal age. Witness 1 accessed MESKO's iPad and discovered the chat conversation between MESKO

and Victim 1. Witness 1 observed a fully nude picture of Victim 1 embedded in a chat session in MESKO's Snapchat account as well as conversations about meeting to have sexual contact. Witness 1 observed another photo in the Snapchat account wherein Victim 1 is wearing a hospital identification bracelet that contained her name and date of birth. Witness 1 turned over all of the electronic devices she believed belonged to MESKO to me.

9. On February 11, 2021, NTPD turned over to me a copy of the data forensically downloaded from Victim 1's iPad. I reviewed the TextNow conversations between Victim 1 and MESKO. The following are excerpts from the TextNow conversations:

October 8, 2020

MESKO: Hi

VICTIM 1: Hi

MESKO: U from aff?

VICTIM 1: yeah

MESKO: U have any pics? You've seen the important one of melol

VICTIM 1 then sends MESKO a phot of herself completely naked standing up

MESKO: Holy fuck your hot, Love to get kinky with you, what are you into? I'll tell you that I'm a kinky fucker lol, not many limits

MESKO: I really want to hook up with you, U down?

VICTIM 1: Yeah but I can't have sex for a couple of days bc I'm on my period right now

VICTIM 1: I have no limits

MESKO: I'm really horny for you, I'm free at 5. I'd love to come lick (almost) every inch of your body, and have you reciprocate.

MESKO: where do you live?

VICTIM 1: with my parents

MESKO: So we gotta be quiet? Lol

MESKO: Sneak in and be quiet?

VICTIM 1: There's no way you would be able to get in my house without getting caught

MESKO: Where do u live?

VICTIM 1: Nt

MESKO: So how we gonna do this? You got a friend's house we can play?

VICTIM 1: no

MESKO: So you're OK with older guys

VICTIM 1: yeah

MESKO: So you are over 18 right?

VICTIM 1: No

MESKO: I need you to tell me that you are lol, especially that you like older guys lol.

VICTIM 1: but I'm not

MESKO: How old are you?

VICTIM 1: 17

MESKO: close lol

MESKO: How do I know that your not affiliated with any law enforcement?

VICTIM 1: I'm not

MESKO: Can you say "in not affiliated with any law enforcement agencies"?

VICTIM 1: I'm not affiliated with any law enforcement agencies at all

MESKO: Let's hook up

MESKO: Go take a pic of your pussy and send to me

VICTIM 1 takes a photo of her vagina and sends it to MESKO followed by a second photo wherein her fingers are inserted in her vagina.

MESKO: That just now?

VICTIM 1: No, I had those in my photo gallery

MESKO: go take one now

VICTIM 1: I'm in my brothers car

MESKO: When you get there

October 9, 2020

VICTIM 1 then sends MESKO a photo of herself naked standing up.

MESKO: Where and when was that taken?

VICTIM 1: Today in my room

MESKO: Who took it?

VICTIM 1: I did

MESKO: How?

VICTIM 1: Time laps

MESKO: I don't see a remote in your hand

VICTIM 1: I can't take birth control

MESKO: Y can't you?

VICTIM 1: BC of the medicine I have to take that is giving to me by my doctor

MESKO: May I ask what?

VICTIM 1: Anti-depression's and sleeping pills and Adderall

October 14, 2020

MESKO: Mmmm I want pics, shower pics would be nice, love to see your fingers in you too

VICTIM 1: tomorrow morning I will Puddin

VICTIM 1 then sends MESKO a photo of her vagina with her fingers inserted

October 15, 2020

MESKO: I need you to suck my cock puddin

VICTIM 1: I want to so bad Puddin

MESKO: U HAVE to tomorrow

MESKO: Did you think of somewhere we can go so I can rough fuck you?

MESKO: If your parents were ever not home I'd be there in a heartbeat to ravage you in your bed., Ur available this afternoon puddin?

MESKO Are you going to prove to me that you're my slut this afternoon?

VICTIM 1: yes puddin

MESKO: Where am I meeting you SLUT

VICTIM 1: We can meet up at 711 on Rue on the Niagara Blvd

MESKO: U live near there puddin?

VICTIM 1: Yeah, I'm only a couple houses down from 711

MESKO: So when will you be ready?

VICTIM 1: just park by the fence and u will see me

VICTIM 1: Are u at 711

MESKO: Ya, I'm by the fence

Approximately 45 minutes later, MESKO sends the following message:

MESKO: How you feeling?, Not sore yet?

VICTIM 1: Yeah I am

October 26, 2020

MESKO: I want to fuck you, when can we fuck?

VICTIM 1: I can't do anything until next month bc I have another tournament coming up this month

MESK: I get that... Will you atleast make out and maybe suck daddys cock?

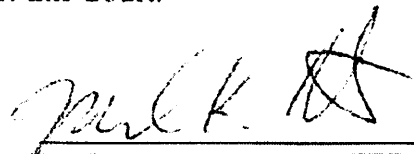
January 9, 2021

MESKO sends VICTIM 1 a photo of his face

III. CONCLUSION

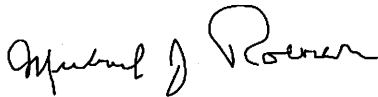
10. Based upon the above information, I assert that probable cause exists to believe that **MICHAEL MESKO** knowingly violated Title 18, United States Code, Sections 2251(a) [Production of Child Sexual Abuse Material] and 2422(b) [Enticement of a Minor].

11. In consideration of the foregoing, I respectfully request that this Court approve the Criminal Complaint and Arrest Warrant for **MICHAEL MESKO** and that said Complaint and Arrest Warrant be sealed until further order of this Court and that all papers submitted in support of this Application, including the Application, Affidavit, and Arrest Warrant remain under seal until further order of this Court.



MICHAEL HOCKWATER
Task Force Officer
Federal Bureau of Investigation

Sworn to and subscribed telephonically
this 16th day of February, 2021.



HONORABLE MICHAEL J. ROEMER
United States Magistrate Judge